

REMARKS

The Office Action and the cited and applied references have been carefully reviewed. No claim is allowed. Claims 1-18 presently appear in this application and define patentable subject matter warranting their allowance. Reconsideration and allowance are hereby respectfully solicited.

Claims 4-10, 15 and 16 have been objected to under 37 CFR 1.75(c) as being in improper form because a multiply dependent claim cannot depend from any other multiply dependent claim. This objection is obviated by appropriate amendments to the claims.

Claims 1-16 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. This rejection is obviated by the amendment to the claims.

Claim 11 has been rejected under 35 U.S.C. §102(e) as being anticipated by Koike et al., U.S. Patent 6,018,032. This rejection is respectfully traversed.

Claim 11 is now amended to make clear that the claimed antibody binds both eosinophils and basophils. By contrast, Koike discloses antibodies which bind only eosinophils (column 1, line 64 to column 2, line 1 and column 75) but makes no disclosure or teaching of antibodies which bind both eosinophils and basophols. Accordingly, Koike cannot anticipate the present invention.

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

Claims 12-14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Jackson et al., U.S. Patent 5,776,709, in view

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Amd. dated November 3, 2004  
Reply to Office Action of May 5, 2004

of Koike et al., U.S. Patent 6,018,032. This rejection is respectfully traversed.

Neither Koike, as discussed above, nor Jackson discloses or teaches an anti-IL-5R antibody that binds to both eosinophils and basophils. Accordingly, the combination of the applied Jackson and Koike references cannot make obvious and lead one of ordinary skill in the art to the presently claimed kit.

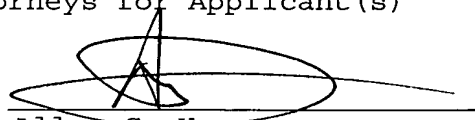
Reconsideration and withdrawal of the rejection are therefore respectfully requested.

In view of the above, the claims comply with 35 U.S.C. §112 and define patentable subject matter warranting their allowance. Favorable consideration and early allowance are earnestly urged.

Respectfully submitted,

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By

A handwritten signature in black ink, appearing to read "Allen C. Yun", is written over a horizontal line. The signature is stylized with a large loop and a trailing flourish.

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